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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/004,294 | 10/24/2001 | Steven Foster | 60,130-1226 | 9265 |

26096 7590 08/04/2003

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EXAMINER

NGUYEN, TRINH T

ART UNIT

PAPER NUMBER

3644

DATE MAILED: 08/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,294

Applicant(s)

FOSTER ET AL.

Examiner

Trinh T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 16-19, 21 and 23-35 is/are rejected.
- 7) ☐ Claim(s) 20, 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Request for Reconsideration

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 16-19, 21, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Stein et al. (US 5,582,789).

For claims 16 and 18, Stein et al. disclose a method of forming a vehicle panel having the steps of placing a layer of colored material (30) in a mold (22) to form an outer layer, placing by injecting a layer of polymeric material (20) in the mold to form a central layer, integrally molding the layer of colored material and the layer of polymeric material as one piece to form a generally flat vehicle panel (note that Stein's finished panel is used in the automotive industry which would included either door and/or wall and/or trailer panel), and mounting the vehicle panel to a superstructure frame (note that Stein's finished panel would be inherently mounted onto a superstructure frame of a vehicle).

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For claim 17, note that Stein's method discloses placing an inner layer (10) into the mold prior to placing a layer of polymeric material (20) in the mold.

For claim 19, note that Stein's outer layer comprises a paintless polymer film.

For claim 21, note that Stein's polymeric material includes reinforcing fibers (see lines 25-44 of col. 2).

For claim 23, note that Stein's inner layer comprises a polymeric material (see lines 15-20 of col. 2).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 24, 25, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stein et al. (US 5,582,789) in view of Morrison et al. (US 5,824,251).

Stein et al. disclose most of the limitations as claimed except for: 1) injecting a layer of insulation into the mold and injecting a structural support layer into the mold for forming at least one rib; and 2) forming at least one wiring conduit and at least one electrical outlet in the panel.

Regarding 1), Morrison et al. teach a method of forming a vehicle panel wherein the method comprises injecting a layer of insulation into the mold (see lines 5-8 of col. 4) and injecting a structural support layer (40) into the mold for

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forming at least one rib (46, 47)(see lines 9-20 of col. 4). It would have been obvious to one of ordinary skill in the art to have modified Stein's method so as to include Morrison's method of injection a layer of insulation and structural support layer into the mold, in light of Morrison's teaching, in order to provide an additional support for the panel and thus increase the overall structural integrity.

Regarding 2), Morrison et al. teach a method of forming a vehicle panel wherein the method comprises forming at least one wiring conduit and at least one electrical outlet in the panel (see lines 21-27 of col. 4). It would have been obvious in view of one ordinary skill in the art to have modified Stein's method so as to include Morrison's method of forming wiring conduit and electrical outlet, in light of Morrison's teaching, in order to provide the necessary openings for wiring procedures.

6. Claims 26-28, and 31-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stein et al. (US 5,582,789) in view of Sjostedt et al. (US 5,403,062).

For claims 26-28, Stein et al. disclose most of the claimed invention except for: 1) forming male (i.e., a groove) and female (i.e., a tongue) members in the superstructure frame or the panel and inserting the female member into the male member; and 2) forming receiving holes in support beams of the superstructure frame and mounting threaded fasteners to the panel and inserting the fasteners into the receiving holes.

Regarding 1), Sjostedt et al. teach a vehicle body having a superstructure frame with multiple support beams and a plurality of panels wherein female and male members (e.g., 562 as shown in Figure 12 can be considered as a tongue/female member and 274 can be considered as a groove/male member)

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are being used for connecting the superstructure frame and the panels together. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Stein so as to include the use of tongue and groove for the attachment of structural members (i.e., the superstructure frame and the panels) together, as suggested in Sjostedt et al., in order to provide a more efficient way to interconnect a plurality of structural members together and thus optimize the overall structural integrity.

Regarding 2), Sjostedt et al. teach a vehicle body having a superstructure frame with multiple support beams and a plurality of panels wherein receiving holes and threaded fasteners are being used for connecting the support beams and the panels together. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Stein so as to include the use of receiving holes and threaded fasteners for the attachment of structural members (i.e., the support beams and the panels) together, as suggested in Sjostedt et al., in order to provide a more efficient way to interconnect a plurality of structural members together and thus optimize the overall structural integrity.

For claims 31-33, Stein et al. disclose most of the claimed invention except for the repeating steps to form multiple vehicle panels. However, it is noted that repeating process steps to form multiple components/panels would be inherently performed within a manufacturing process in order to form/create multiple components/panels.

For claims 34 and 35, Stein et al. disclose most of the claimed invention except for providing superstructure frame with multiple support beams having a plurality of installation positions, which have first and second mounts thereon. Sjostedt et al. teach a vehicle body having a superstructure frame with multiple

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support beams having a plurality of installation positions, which have first and second mounts thereon to secure the panels to the superstructure frame (see Figures 1, 7, 9, 19, 38-41, 29, 45, 46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Stein so as to include a superstructure frame with multiple support beams having a plurality of installation positions, which have first and second mounts thereon to secure the panels to the superstructure frame, as suggested in Sjostedt et al., in order to provide a more efficient way to interconnect a plurality of structural members together and thus optimize the overall structural integrity.

Allowable Subject Matter

7. Claims 20 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trinh T Nguyen whose telephone number is (703) 306-9082. The examiner can normally be reached on M-F (9:30 A.M to 6:00 P.M).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Jordan can be reached on (703) 306-4159. The fax phone numbers for the organization where this application or proceeding is

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assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

ttn
July 30, 2003

Charles T. Jordan
CHARLES T. JORDAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600